

Message Text

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ACTION NEA-07

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FM AMEMBASSY TEHRAN

TO SECSTATE WASHDC 9787

C O N F I D E N T I A L TEHRAN 10876

LIMDIS

E.O. 11652: GDS

TAGS: USIRJC

SUBJ: STATUS OF USIRJC PERSONNEL

1. DURING IS VISIT TO TEHRAN OCTOBER 31 FHWA ADMINISTRATOR GOVERNOR TIEMANN DISCUSSED THE QUESTION OF THE STATUS OF FHWA PERSONNEL WITH GOI MINISTER OF ROADS AND TRANSPORTATION SHAHRESTANI. HE URGED THAT RECONSIDERATION BE GIVEN TO ACCORDING FHWA OFFICIAL STATUS AS MEMBERS OF THE US EMBASSY TECHNICAL AND ADMINISTRATIVE STAFF. SHAHRESTANI RESPONDED ALONG FAMILIAR LINES THAT THE HAD NO INFLUENCE OVER THIS MATTER AND SUGGESTED THAT THE US EMBASSY "PUSH" THE MINISTRY OF FOREIGN AFFAIRS AND THE MINISTRY OF ECONOMIC AFFAIRS AND FINANCE ON THIS SUBJECT.

2. WE HAD HOPED TO DISCUSS THE MATTER WITH GOVERNOR TIEMANN, PARTICULARLY IN VIEW OF THE APPARENT FEELING IN DOT THAT THE EMBASSY HAD NOT BEEN AGGRESSIVE ENOUGH IN PURSUING THIS QUESTION WITH THE GOI. REGRETTABLY, LAST MINUTE CHANGES IN THE AMBASSADOR'S SCHEDULE AND GOVERNOR TIEMANN'S PRIOR COMMITMENTS DID NOT PERMIT THEM TO MEET. NEVERTHELESS, THE AMBASSADOR WOULD LIKE BILL COLEMAN TO KNOW THAT HE TOOK NOTE OF HIS COMMENT IN SEPTEMBER 21 LETTER TO DEPUTY SECRETARY ROBINSON THAT THE EMBASSY SHOULD BE GIVEN A "STOUT SHOVE."

3. THE NUMEROUS REPRESENTATIONS THAT HAVE BEEN MADE ON THIS SUBJECT AT VARIOUS LEVELS ARE A MATTER OF RECORD.

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THEY CULMINATED IN THE AMBASSADOR'S RAISING THE MATTER

WITH THE SHAH DIRECTLY ON OCTOBER 31. THE AMBASSADOR REVIEWED AT SOME LENGTH THE DIFFICULTIES AND INCONVENIENCES THAT FHWA PERSONNEL HAVE EXPERIENCED THROUGH LACK OF GOI RECOGNITION AS THEIR BEING MEMBERS OF THE EMBASSY STAFF, THE DELETERIOUS EFFECT THIS HAD ON THEIR MORALE AND WORK PERFORMANCE, AND THE ANOMALY OF THE GOI'S POSITION VIS-A-VIS FHWA PERSONNEL AND THOSE IN THE MAAG AND TAFT WHO HAVE ESSENTIALLY THE SAME CONTRACTUAL RELATIONSHIP WITH THE GOI. THE SHAH WAS OBVIOUSLY FAMILIAR WITH THIS ISSUE AND RESPONDED IMMEDIATELY THAT IT WAS NOT POSSIBLE TO GRANT OUR REQUEST BECAUSE IT WOULD HAVE THE EFFECT OF ENDOWING A NON-DIPLOMATIC GROUP OF PEOPLE IN IRAN WITH EXTRATERRITORIAL RIGHTS. IRAN WAS NOT WILLING TO AGREE TO AN ARRANGEMENT IMPLYING THAT IT WAS OCCUPIED OR SUBJECT TO COLONIAL DIRECTION. TECHNICAL ADVISORS IN THE MILITARY FIELD WERE DIFFERENT IN THAT PEOPLE UNDERSTOOD THEY WERE IMPORTANT TO IRAN'S MILITARY MODERNIZATION PROGRAM. BY IMPLICATION IT ALSO DID NOT RAISE THE QUESTION OF EXTENDING SIMILAR STATUS TO OTHER NATIONALITIES AS IT DOES IN THE CASE OF NON-MILITARY CIVILIAN EXPERTS. THE SHAH ACCEPTED WITH EQUANIMITY THE AMBASSADOR'S OBSERVATION THAT FHWA PERSONNEL AS WELL AS OTHERS UNDER THE AEGIS OF FAA OR EPA MAY NOT BE WILLING TO COME TO IRAN OR STAY UNDER PREVAILING GROUND RULES.

4. COMMENT: THE SHAH'S POSITION IS HARDLY SURPRISING IN VIEW OF THE CLEAR POLICY HE HAS ESTABLISHED TO ELIMINATE WHERE POSSIBLE ALL VESTIGES OF SPECIAL PRIVILEGE OR EXTRATERRITORIALITY, I.E., TERMINATION OF AFRTS. HE FINDS IT SUITS HIS PURPOSE TO OVERLOOK THIS QUESTION INsofar AS THE MILITARY IS CONCERNED BUT WE BELIEVE WE CAN EXPECT THAT REDUCTION OF THEIR PRIVILEGED STATUS WILL FOLLOW WHEN HE CALCULATES IT IS NO LONGER IN IRAN'S INTEREST.
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